



**DEPARTMENT OF THE ARMY**  
HEADQUARTERS, U.S. ARMY ARMOR CENTER AND FORT KNOX  
FORT KNOX, KENTUCKY 40121-5000

REPLY TO  
ATTENTION OF:

ATZK-EE (690-12)

31 July 2003

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Reasonable Accommodation for Individuals with Disabilities

1. References:

- a. Executive Order No 13164, 26 July 2000.
  - b. Equal Employment Opportunity Commission (EEOC) Guidance, 20 October 2000.
  - c. 29 C.F.R. Part 1614.203, Rehabilitation Act.
  - d. 29 C.F.R. Part 1630, Regulations to Implement the Equal Employment Provisions of the American with Disabilities Act.
2. The US Army Armor Center and Fort Knox policy is to fully comply with the reasonable accommodation requirements of the Rehabilitation Act of 1973. Under the law, federal agencies must provide reasonable accommodations to qualified employees or applicants with disabilities, unless to do so would cause undue hardship.
3. As a model employer, Fort Knox will strive to accommodate disabilities whether or not they are covered by the standard set forth in the Rehabilitation Act and the Americans with Disabilities Act. Fort Knox is committed to providing reasonable accommodations to its employees and applicants for employment in order to assure that individuals with disabilities enjoy full access to equal employment opportunity at Fort Knox. Fort Knox provides reasonable accommodations:
- a. When an applicant with a disability requests accommodation in the application process,
  - b. When an employee, who with or without accommodation, can perform the essential functions of the job, requests an accommodation for work or to gain access to the workplace, and
  - c. When an employee with a disability requests accommodation to enjoy equal benefits and privileges of employment.
4. Fort Knox supervisors/managers will process requests for reasonable accommodation and, when appropriate, provide reasonable accommodations in a prompt, fair and efficient manner.

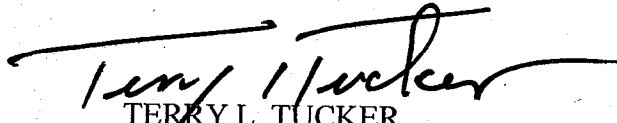
ATZK-EE (690-12)

SUBJECT: Reasonable Accommodation for Individuals with Disabilities

Procedures for processing reasonable accommodation requests are outlined in Fort Knox Regulation 690-16, Reasonable Accommodation of Disabled Employees and Applicants for Employment.

5. I fully support reasonable accommodation for individuals with disabilities and consider it a matter of high priority.

Encl



TERRY L. TUCKER  
Major General, USA  
Commanding

DISTRIBUTION:  
Special

Headquarters  
US Army Armor Center and Fort Knox  
Fort Knox, Kentucky 40121-5000  
31 July 2003

Fort Knox Reg 690-16

### Civilian Personnel

## REASONABLE ACCOMMODATION OF DISABLED EMPLOYEES AND APPLICANTS FOR EMPLOYMENT

**Summary.** This regulation prescribes policies and procedures for the accommodation of employees and applicants with disabilities. It provides instructions on how accommodations can be requested and how they will be approved and provided.

**Applicability.** This regulation applies to all civilian employees in both appropriated and nonappropriated fund activities who are serviced by the Fort Knox Equal Employment Opportunity (EEO) Office and the Fort Knox Civilian Personnel Advisory Center (CPAC).

**Suggested Improvements.** The proponent of this directive is EEO. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) through channels to Commander, USAARMC, ATTN: ATZK-EE.

1. **PURPOSE.** To set forth guidelines for qualified disabled civilian employees and applicants for employment to obtain reasonable accommodation under the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, and Executive Order 13164.
2. **APPLICABILITY.** This policy applies to the US Army Armor Center and Fort Knox, its subordinate agencies and activities, and partner activities not covered by a MACOM plan.
3. **BACKGROUND.** The Rehabilitation Act of 1973 prohibits employment discrimination in the federal sector against individuals with disabilities. The Americans with Disabilities Act (ADA) of 1990 provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities and enforceable standards addressing discrimination against individuals with disabilities. These standards apply to the Rehabilitation Act of 1973. On 26 July 2000, the President signed Executive Order 13164 requiring Federal agencies to establish procedures to facilitate the provision of reasonable accommodation.
  - a. The ADA prohibits discrimination against any "qualified individual with a disability." Disabilities covered are defined as those that place substantial limitations on an individual's major life activities, such as hearing, seeing, speaking, walking, breathing, performing manual tasks, caring for oneself, learning or working. To be protected under the ADA, an individual must be a qualified individual with a disability. This is a two-part process—determining disability and determining qualifications.

(1) To be regarded as disabled, an individual must have:

(a) A physical or mental impairment that substantially limits one or more major life activities.

(b) A record of a physical or mental impairment that substantially limits one or more of the individual's major life activities, or

(c) A history of being regarded as having an impairment, whether or not they have the impairment. Being regarded as having impairment is predicated on the attitude or treatment by the employer.

(2) To be regarded as qualified, an individual with a disability must be able to perform the essential functions of a position with or without reasonable accommodation.

b. The ADA defines reasonable accommodation as "any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities." The ADA requires employers to provide reasonable accommodation to the known physical or mental limitations of otherwise qualified applicants or employees with disabilities unless the employer can show that the accommodation would impose an undue hardship on the operation of its program.

#### 4. DEFINITION OF KEY TERMS.

a. Reasonable Accommodation: Any change in the work environment or in the way things are customarily done that would enable a qualified individual with a disability to enjoy equal employment opportunities.

b. Qualified Individual with a Disability: Individuals with a disability are qualified if (1) they satisfy the requisite skill, experience, education, and other job-related requirements of the position; and (2) they can perform the essential functions of the position, with or without reasonable accommodation.

c. Essential Functions: Those job duties that are so fundamental to the position that the individual cannot do the job without performing them. A function can be "essential" if, among other things: the position exists specifically to perform that function; there are a limited number of other employees who could perform the function; or the function is specialized and the individual is hired based on his or her ability to perform it. Determination of the essential

functions of a position must be done on a case-by-case basis so that it reflects the job as actually performed, and not simply the components of a generic position description.

d. Reassignment: Reassignment is a form of reasonable accommodation that, absent undue hardship, is provided to employees (not applicants) who, because of a disability, can no longer perform the essential functions of their job, with or without reasonable accommodation. Reassignments are made only to vacant positions and to employees who are qualified for the new position. If the employees are qualified for the position, they will be reassigned to the job and will not have to compete for it. Reassignment to a vacant position will only be used if accommodations with the employee's current position are not successful or feasible.

e. Undue Hardship: If a specific type of reasonable accommodation causes *significant difficulty or expense*, then management is not required to provide that particular accommodation. Determination of undue hardship is always made on a case-by-case basis, considering factors that include the nature and cost of the reasonable accommodation needed and the impact of the reasonable accommodation on the operations of the agency. Reasonable accommodation will not be granted if it poses a direct threat to the health or safety of the employees seeking accommodation or to their co-workers.

## 5. REQUESTS FOR REASONABLE ACCOMMODATIONS.

a. A request for reasonable accommodation is a statement that an individual needs an adjustment or change at work, in the application process, or in a benefit or privilege of employment for a reason related to a medical condition. The reasonable accommodation process begins as soon as the request for accommodation is made.

b. A request does not have to use any special words, such as "reasonable accommodation," "disability," or "Rehabilitation Act." Individuals with a disability may request a reasonable accommodation whenever they choose, even if they have not previously disclosed the existence of a disability. Any Fort Knox employee or applicant may consult the Disability Program Manager in the EEO Office for further information or assistance in connection with requesting or processing a request for reasonable accommodation.

c. Employees may request a reasonable accommodation orally or in writing from their supervisor; another supervisor or manager in their immediate chain of command; the Commander/Director; or the Disability Program Manager. If the request for accommodation can be fulfilled by the supervisor, it should be handled at that level. The Disability Program Manager must be notified by supervisor of this request. If the scope of the accommodation is such that it goes beyond the supervisor's authority, SJA and the Director/Commander will be consulted.

d. An applicant may request a reasonable accommodation orally or in writing from any CPAC employee with whom the applicant has contact in connection with the application process. The CPAC is responsible for training CPAC staff that are involved in the application process to recognize requests for reasonable accommodation and to handle them appropriately. Commanders/Directors also should ensure that all staff having contact with applicants are trained to recognize and handle requests for reasonable accommodation.

e. A family member, health professional, or other representative may request an accommodation on behalf of an employee or applicant. The request should go to one of the same persons to whom the employee or applicant would make the request.

## 6. RESPONSIBILITIES.

a. The qualified disabled civilian employee or applicant for employment is responsible for (1) initiating an oral or written request for reasonable accommodation; (2) providing appropriate medical information related to the functional impairment at issue and the requested accommodation where the disability and/or need for accommodation is not obvious; and (3) informing the agency when reasonable accommodation is no longer required.

b. First-line supervisors are responsible for assisting the requesting employee through the application process.

c. The CPAC is responsible for assisting the requesting applicant for employment through the application process and for notifying the prospective employer of the need for reasonable accommodation in the recruitment process.

d. Management will ensure adequate parking spaces are designated for disabled employees that provide the nearest access to their work site. All designated disability parking spaces will not count against the 10 percent limitation.

e. The Disability Program Manager will be available, as needed, to provide assistance to employees and management in processing requests.

## 7. REQUESTS FOR MEDICAL INFORMATION.

a. Management is entitled to know that an employee or applicant has a covered disability that requires a reasonable accommodation. In some cases the disability and need for accommodation will be obvious or otherwise already known. In these cases, further medical information will not be sought. However, when a disability and/or need for reasonable accommodation is not obvious

or otherwise already known, the individual may be required to provide reasonable documentation about the disability and the functional limitations.

b. If supervisors believe that medical information is necessary in order to evaluate a request for reasonable accommodation, they will make a request that the employee obtain additional information. Request for medical information will follow the requirements set forth in the EEOC's *Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act* (available on [www.knox.army.mil/center/eeo](http://www.knox.army.mil/center/eeo)). Upon receipt, the supervisor will make a determination in accordance with the timeframes shown in paragraph 8 below.

c. If there is still a question regarding (1) the need for reasonable accommodation, (2) medical documentation, or (3) the reasonableness of accommodations required, the Disability Program Manager, CPAC, and SJA, must be consulted to provide advisory services. The Federal Medical Officer will be consulted, as appropriate, to provide medical assessment. The Union will be contacted, as appropriate, i.e., bargaining union employee, change in workplace, change in working conditions, etc.

## 8. TIME FRAMES

a. Decision on reasonable accommodation will be processed in as short a time frame as reasonably possible.

b. If a request for an accommodation can be processed by the requesting employee's supervisor or Commander/Director, no supporting medical information is required, and/or no extenuating circumstances apply, the request shall be processed and the accommodation, if granted, provided in no more than 15 business days from the date the request was received. If the request cannot be processed by the commander/director or will take longer than 15 business days to resolve, the supervisor will provide a written response to the employee that further action is necessary. The response should also contain a future date for providing a final reply.

9. INFORMAL DISPUTE RESOLUTION. Individuals with disabilities can request prompt reconsideration of a denial of reasonable accommodation. An informal dispute resolution/mediation process will be used to reconsider denials of reasonable accommodation. The Equal Employment Opportunity Office will facilitate this process. Requestors for reasonable accommodation will be informed that they have the right to file complaints in the Equal Employment Opportunity Complaints process and other statutory processes, as appropriate, if the dispute cannot be resolved.

10. The Disability Program Manager will track the processing of request for reasonable accommodation and review this memorandum for applicability.

11. FORMS.

a. In order to track requests and responses to requests for reasonable accommodation, the following forms will be used:

(1) EEOC Form 557, Confirmation of Request for Reasonable Accommodation (Appendix A). The applicant, employee, or supervisor will complete this form when a request for accommodation is made. It will briefly describe the accommodation requested and the basis for the request.

(2) EEOC Form 557b, Reasonable Accommodation Information Reporting Form (Appendix B). The supervisor of the person requesting accommodation will complete this form.

(3) EEOC Form 557a, Denial of Reasonable Accommodation Request (Appendix C). This form will be completed by the official who determines that the accommodation cannot be granted and will document reason(s) for the denial.

b. You may obtain the forms by contacting the EEO Office at 624-1325/2545. All completed forms will be forwarded to the Disability Program Manager in the EEO Office, ATTN: ATZK-EE, within 5 workdays of receipt and/or determination of whether or not to grant the requested accommodation.

FOR THE COMMANDER:



ROBERT L. BROOKS  
Director, Information Management

DISTRIBUTION:

A

CF: DCG, USAARMC

OFFICIAL:  
ROBERT T. GAHAGAN  
COL, GS  
Chief of Staff



Appendix A  
Confirmation of Request for Reasonable Accommodation

**EEOC Form 557**

(see: Procedures for Providing Reasonable Accommodation for Individuals with Disabilities)

CONFIRMATION OF REQUEST FOR REASONABLE ACCOMMODATION	
1.	
Applicant's or Employee's Name	Applicant's or Employee's Telephone No.
Today's Date	
Date of Request	Employee's Office
2. ACCOMMODATION REQUESTED. (Be as specific as possible, e.g., adaptive equipment, reader, interpreter)	
3. REASON FOR REQUEST.	
If accommodation is time sensitive, please explain:	
Return Form to Disability Program Manager	
(Disability Program Manager will assign number)	

4. Log No.: \_\_\_\_\_

**EEOC Form 557** (Revised 2/01) PREVIOUS EDITIONS OF THIS FORM ARE  
OBSOLETE AND MUST NOT BE USED.

Appendix B  
Reasonable Accommodation Information Reporting Form

**EEOC Form 557b**

**(see: Procedures for Providing Reasonable Accommodation for Individuals with Disabilities)**

**REASONABLE ACCOMMODATION INFORMATION REPORTING FORM**

Name of Individual requesting reasonable accommodation:

Office of Requesting Individual:

**1. Reasonable accommodation: (check one)**

\_\_\_\_\_ Approved

\_\_\_\_\_ Denied (If denied, attach copy of the written denial letter/memo - See Section X, page 12, of the Reasonable Accommodation Procedures.)

**2. Date reasonable accommodation requested:**

Who received request: \_\_\_\_\_

**3. Date reasonable accommodation request referred to decision maker (i.e., supervisor, Office Director, Disability Program Manager, Personnel Management Specialist):**

Name of decision maker: \_\_\_\_\_

**4. Date reasonable accommodation approved or denied:**

**5. Date reasonable accommodation provided (if different from date approved):**

**6. If time frames outlined in the Reasonable Accommodation Procedures were not met, please explain why.**

7. **Job held or desired by individual requesting reasonable accommodation** *(including occupational series, grade level, and office):*

8. **Reasonable accommodation needed for:** *(check one)*

\_\_\_\_\_ Application Process

\_\_\_\_\_ Performing Job Functions or Accessing the Work Environment

\_\_\_\_\_ Accessing a Benefit or Privilege of Employment *(e.g., attending a training program or social event)*

9. **Type(s) of reasonable accommodation requested** *(e.g., adaptive equipment, staff assistant, removal of architectural barrier):*

10. **Type(s) of reasonable accommodation provided** *(if different from what was requested):*

11. **Was medical information required to process this request? If yes, explain why.**

12. **Sources of technical assistance, if any, consulted in trying to identify possible reasonable accommodations** *(e.g., Job Accommodation Network, disability organization, Disability Program Manager):*

13. **Comments:**

Submitted by: \_\_\_\_\_ Phone: \_\_\_\_\_

Attach copies of all documents obtained or developed in processing this request.

**EEOC Form 557b (2/01)**



Appendix C  
Denial of Reasonable Accommodation Request

**EEOC Form 557a**

**(see: Procedures for Providing Reasonable Accommodation for Individuals with Disabilities)**

**DENIAL OF REASONABLE ACCOMMODATION REQUEST**

(Must complete numbers 1-4; complete number 5, if applies)

1. Name of Individual requesting reasonable accommodation:
2. Type(s) of reasonable accommodation requested:
3. Request for reasonable accommodation denied because: (may check more than one box)
  - Accommodation Ineffective
  - Accommodation Would Cause Undue Hardship
  - Medical Documentation Inadequate
  - Accommodation Would Require Removal of an Essential Function
  - Accommodation Would Require Lowering of Performance or Production Standard
  - Other (Please identify) \_\_\_\_\_
4. Detailed Reason(s) for the denial of reasonable accommodation (Must be specific, e.g., why accommodation is ineffective or causes undue hardship):
5. If the individual proposed one type of reasonable accommodation which is being denied, but rejected an offer of a different type of reasonable accommodation, explain both the reasons for denial of the requested accommodation and why you

**believe the chosen accommodation would be effective.**

**6. If an individual wishes to request reconsideration of this decision, s/he may take the following steps:**

- First, ask the decision maker to reconsider his/her denial. Additional information may be presented to support this request.
- If the decision maker does not reverse the denial:
  - and the decision maker was the individual's supervisor, the individual can ask the Office Director to do so.
  - and the decision maker was the Office Director, the individual can ask the Disability Program Manager to do so.
  - and the decision maker was the Disability Program Manager, the individual can ask the official designated by the Director of the Office of Equal Opportunity to do so.

**7. If an individual wishes to file an EEO complaint, or pursue MSPB and union grievance procedures, s/he must take the following steps:**

- For an EEO complaint pursuant to 29 C.F.R. § 1614, contact an EEO counselor in the Office of Equal Opportunity *within 45 days from the date of this notice of denial of reasonable accommodation*; or
- For a collective bargaining claim, file a written grievance in accordance with the provisions of the Collective Bargaining Agreement; or
- Initiate an appeal to the Merit Systems Protection Board *within 30 days of an appealable adverse action* as defined in 5 C.F.R. § 1201.3.

\_\_\_\_\_  
Name of Deciding Official

\_\_\_\_\_  
Signature of Deciding Official

Date reasonable accommodation denied \_\_\_\_\_

**EEOC Form 557a (2/01)**